

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 1338 - SB 1303

February 24, 2017

SUMMARY OF BILL: Requiress any person seeking an initial renewal or restoration of a certificate of registration as a barber, master barber, barber technician, cosmetologist, manicurist, aesthetician, or natural hair stylist to successfully complete a one-hour course on domestic violence and sexual assault awareness education, including denying signs of domestic abuses, as prescribed by the Board of Cosmetology and Barber Examiners (BCBE).

Requires any person seeking a certificate of registration through reciprocity to complete such course within 30 days after the applicant receives a certificate of registration. Any person who fails to complete the one-hour course shall have their registration invalidated. Any person who continues to perform professional services as a barber, master barber, or barber technician without completing the one-hour course shall be subject to a penalty fee, in addition to any other penalty as determined by the BCBE.

Establishes that any barber, master barber, technician, or employer of any such professional is not civilly or criminally liable for acting in good faith or failing to act on information obtained during the course of employment concerning potential domestic violence or sexual assault. For purposes of promulgating rules, this bill shall take effect upon becoming law. For all other purposes, this bill shall take effect on January 1, 2018.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The bill only requires the BCBE to prescribe by rule a one-hour course on domestic violence and sexual assault awareness education.
- This does not require BCBE to provide such course, but would require the BCBE to ensure that any individual seeking an initial, renewal or restoration of a registration or license, respectively, as a barber, master barber, barber technician, cosmetologist, manicurist, aesthetician, or natural hair stylist to have completed the course as prescribed by the BCBE.
- The BCBE can ensure that registrants and licensees have taken the appropriate course utilizing existing staff during normal work hours.
- There will not be a significant decrease in the number of issued, renewed, or restored licenses by BCBE as a result of applicants failing to complete the required course.

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- Pursuant to Tenn. Code Ann. § 4-29-121, all regulatory boards are required to be self-supporting over a two-year period.
- The BCBE had an annual surplus of \$394,499 in FY14-15, a deficit of \$163,666 in FY15-16, and a cumulative reserve balance of \$230,833 as of June 30, 2016.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumptions:

- Based on information provided by the Department of Commerce and Insurance (TDCI), the course that the BCBE will prescribe by rule is unknown; therefore, the cost, if any, that may be imposed upon barbers, master barbers, barber technicians, cosmetologists, manicurists, aestheticians, or natural hair stylists to attend or view the one-hour required course cannot be determined with reasonable certainty, but is considered to be a negative impact for such professions.
- The company or companies which provide the one-hour course prescribed by the BCBE will experience an increase in revenue equal to the cost paid by barbers, master barbers, barber technicians, cosmetologists, manicurists, aestheticians, or natural hair stylists to attend or view such course; therefore, the net impact to commerce or jobs in this state is considered to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

/jdb